

**A REGULAR MEETING  
OF  
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Acting Chair Joann Conaway in the Hearing Room, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, March 19, 2019, at 1:00 p.m. with the following Commissioners were in attendance: Harold B. Gray, Manubhai “Mike” C. Karia, and Kim Drexler.

The following Staff members were in attendance: Dr. Rajnish Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Samantha Hemphill, Lisa Driggins, Jerry Platt, Dimitar Kozhuharov, James McC. Geddes, Esq., and Deputy Attorneys General, Thomas Walsh, Esq., and Robert Willard, Esq.

Before the meeting began, Acting Chair Conaway announced that Item #3 on the Regular Agenda would be removed.

2. Commissioner Drexler moved to approve meeting minutes of the March 5, 2019 Commission meeting as presented and was seconded by Commissioner Karia; the motion was approved 4-0.
3. CONSENT AGENDA ITEMS:

A motion was made by Commissioner Gray to adopt the following Consent Agenda items as submitted:

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (LIGHTHOUSE12.00, BEARHOLE37.01, WINGATE259.00, & SOUTHBETHANY138.00)  
(FILED JANUARY 10, 2019) – PSC DOCKET NO. 19-0020

- Commission to consider Staff Memorandum and Proposed Order No. 9347.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 *DEL. C.* §203C (SOUTHBETHANY118.00, DIRICKSON14.05, DIRICKSON32.00, DIRICKSON30.00 & MILLERSNECK11.04)  
(FILED JANUARY 24, 2019) – PSC DOCKET NO. 19-0048

- Commission to consider Staff Memorandum and Proposed Order No. 9354.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. § 203C (“BAYARD7.08, BAYARD7.14, & BAYARD7.16”)

(FILED JANUARY 10, 2018) - PSC DOCKET NO. 19-0021

- Commission to consider Staff Memorandum and proposed Order No. 9358.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICES PURSUANT TO 26 DEL. C. § 203C

(“DIRICKSON20.02, DIRICKSON20.00, DIRICKSON17.05, DIRICKSON42.00, & DIRICKSON36.00”)

(FILED JANUARY 24, 2018) - PSC DOCKET NO. 19-0047

- Commission to consider Staff Memorandum and proposed Order No. 9359.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR APPROVAL OF QUALIFIED FUEL CELL PROVIDER PROJECT TARIFFS

(FILED FEBRUARY 25, 2019) – PSC DOCKET NO. 19-0111

- Commission to consider Staff Memorandum and proposed Order No. 9360.

The motion was seconded by Commissioner Karia and approved 4-0.

#### 4. REGULAR AGENDA ITEMS:

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR AN INCREASE IN ELECTRIC BASE RATES AND MISCELLANEOUS TARIFF CHANGES

(FILED AUGUST 17, 2017) – PSC DOCKET NO. 17-0977

- James McC. Geddes, Esq. appeared on behalf of Staff.
- Todd Goodman, Esq. appeared on behalf of Delmarva Power & Light Company.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate.
- A motion was made by Commissioner Gray and seconded by Commissioner Drexler to adopt Order No. 9341 as submitted; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE APPLICATION OF DELMARVA POWER & LIGHT COMPANY FOR APPROVAL OF THE 2019 PROGRAM FOR THE PROCUREMENT OF SOLAR RENEWABLE ENERGY CREDITS

(FILED FEBRUARY 13, 2019) - PSC DOCKET NO. 19-0080

- Robert Willard, Esq. appeared on behalf of Staff.
- Lindsay Orr, Esq. appeared on behalf of Delmarva Power & Light Company.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate.

- A motion was made by Commissioner Karia and seconded by Commissioner Drexler to adopt Order No. 9355; the motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE PETITION OF THE PUBLIC SERVICE COMMISSION STAFF AND DELAWARE DIVISION OF THE PUBLIC ADVOCATE TO ESTABLISH A REGULATION FOR DISTRIBUTION SYSTEM INVESTMENT PLANS FOR DELAWARE ELECTRIC AND NATURAL GAS UTILITIES  
(FILED JULY 2, 2018) – PSC DOCKET NO. 18-0935

- Thomas Walsh, Esq. appeared on behalf of Staff.
- Todd Goodman, Esq. appeared on behalf of Delmarva Power & Light Company.
- William O'Brien, Esq. appeared on behalf of Chesapeake Utilities Corp.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate.
- Mr. Slater updated the Commission on the progress of this matter.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE PETITION OF SUSSEX COUNTY, DELAWARE REGARDING METHOD OF NOTICE TO LANDOWNERS ("ELLENDALE AND WINDING CREEK")

(FILED MARCH 11, 2019) – PSC DOCKET NO. 19-0146

- Robert Willard, Esq., and Lisa Driggins appeared on behalf of Staff.
- Hans Medlarz appeared on behalf of Sussex County.
- Scott Stephan appeared on behalf of Artesian Water Company, Inc.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate.
- A motion was made by Commissioner Karia and seconded by Commissioner Gray to adopt recommendations of Staff in regards to documentation reflecting landowner notification as required by 26 *Del.C.* §203C(d)(1) or (e)(1), including:
  - 3.5.1 copies of relevant Postal Service forms demonstrating that the applicant sent by certified mail the appropriate form of notice as required by these regulations to each landowner of record of each parcel encompassed within the Proposed Service Area;
  - 3.5.2 copies of all materials or messages provided to the applicant by the Postal Service reflecting either delivery of the certified mail or failure of certified mail delivery because the delivery was "refused," "unclaimed," "undeliverable," "unknown," or otherwise not completed; and,
  - 3.5.3 a certification (or other evidence) that, for each earlier notice that was returned by the Postal Service due to a failure of certified mail delivery, the applicant then sent another copy of the required notice by first class United States mail to the best available address of the applicable landowner of record.
- The motion was approved 4-0.
- A verbatim transcript was made of this proceeding.

## 5. DIRECTOR'S COMMENTS

- Dr. Barua informed the Commission that Commissioner Gray, a member of the NARUC Committee on Gas, forwarded an email that had a survey of state commissions regarding federal legislation to reauthorize the Pipeline and Hazardous Materials Safety Administration Program ("PHMSA"). Dr. Barua introduced Jerry Platt, Senior Engineer, who administers the program; Mr. Platt gave the Commission a brief summary of the PSC's response to this survey and the effects it would have on the State of Delaware.
- Dr. Barua introduced Dimitar Kozhuharov, Public Utility Analyst, who updated the Commission on PJM/GreenHat financial Transmission Rights.
- Dr. Barua introduced Samantha Hemphill, Ombudsman, who presented the Commission with a proclamation from the Governor's Office regarding Fix-A- Leak week which runs the week of March 18, 2019, through March 24, 2019.
- Dr. Barua announced that there would be Evidentiary Hearings on March 27, 2019, and March 28, 2019, in Docket No. 18-0953, Delmarva Power & Light Company, Prepaid Program, at 10:00 A.M. at the Dover Office.
- Dr. Barua also announced that the next Commission meeting would be held on Tuesday, April 2, 2019.
- A motion was made by Commissioner Gray and seconded by Commissioner Karia to enter into executive session to receive legal advice of a privileged or confidential nature. This information is not a matter of public record as defined in 29 *Del. C.* §10002 (1) (2); the motion was approved 4-0.
- A motion was made by Commissioner Gray and seconded by Commissioner Karia to exit Executive Session; the motion was approved 4-0.

This meeting was adjourned at approximately at 2:23 p.m.

Respectfully submitted,

/s/ Donna Nickerson  
Secretary